

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

GREGORIO DELOSO, et al.,

Plaintiffs,

MARION W. TONEY,

Consolidated Plaintiff,

V.

CIVIL ACTION NO. 5:12-cv-01165
(consolidated with 5:13-cv-25058)

MULTIFRESH, INC. and
EMPLOYERS' INNOVATIVE NETWORK, LLC,

Defendants.

ORDER

The Court has reviewed the parties' *Settlement and Agreement to Withdraw Plaintiffs' Motion to Enforce Settlement* (Document 128). On September 4, 2014, the Plaintiffs filed a motion to enforce the settlement against Defendant Employers' Innovative Network, LLC (EIN). The parties now assert that EIN has "complied with the terms of the settlement agreement and has agreed to pay legal interest on the settlement monies that were due up and until the day the settlement monies were paid." (Mot. at 1–2.)

In accordance with the agreement, the Court **ORDERS** that the *Settlement and Agreement to Withdraw Plaintiffs' Motion to Enforce Settlement* (Document 128) be **GRANTED** and the *Plaintiffs' Motion to Enforce Settlement* (Document 126) be **WITHDRAWN**. The Court further **ORDERS** that the hearing scheduled for October 8, 2014, at 10:30 a.m., be **CANCELLED**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: September 15, 2014


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA